

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN THE MATTER OF:

JON A. CARNEY
BETTY J. CARNEY

Debtors

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CASE NO. 05-15246

DECISION AND ORDER

At Fort Wayne, Indiana, on July 18, 2006.

The notice of motion and opportunity to object which Fifth Third Bank (hereinafter “Movant”) served in connection with its motion to approve agreed order terminating stay does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The notice does not “contain a brief summary of the ground for the motion or have a copy of the motion attached to it.” N.D. Ind. L.B.R. B-2002-2(c)(4).

Since this is the second time that creditors and parties in interest have not been given appropriate notice of the motion and the opportunity to object thereto, the motion is DENIED, without prejudice to resubmission.

SO ORDERED.

/s/ Robert E. Grant
Judge, United States Bankruptcy Court